

# **CITY COUNCIL AGENDA**

**OCTOBER 25, 2005**

## **SYNOPSIS**

LINDA J. LE ZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ, VICE MAYOR  
CHUCK REED  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER  
MADISON P. NGUYEN  
DAVID D. CORTESE  
JUDY CHIRCO  
NANCY PYLE

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Community & Economic Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Neighborhood Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation & Aviation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, Mayor Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

**The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.**

Agendas and Staff Reports for City Council items may be viewed on the Internet at [www.sanjoseca.gov/clerk/agenda.asp](http://www.sanjoseca.gov/clerk/agenda.asp)

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 998-5299 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**  
**9:02 a.m.** - Closed Session, City Hall Tower, 18<sup>th</sup> Floor, City Hall  
**Absent Council Members: Chirco. (Excused)**  
  
**1:31 p.m.** - Regular Session, Council Chambers, City Hall  
**Absent Council Members: Chirco. (Excused)**
- **Invocation (District 9)**  
**Reverend Irene Witmore of Unity Community Church.**
- **Pledge of Allegiance**  
**Mayor Gonzales led the Pledge of Allegiance.**
- **Orders of the Day**  
**Orders of the Day and the Amended Agenda were approved.**

## **1. CEREMONIAL ITEMS**

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- 1.1** Presentation of awards to the San José Redevelopment Agency and the Agency's Finance Division from the Government Finance Officers Association. (Mayor/Executive Director)  
**Mayor Gonzales presented the awards to Executive Director Redevelopment Agency Harry Mavrogenes and Chief Financial Officer Redevelopment Agency David Baum.**
- 1.2** Presentation of a commendation to the American Diabetes Association in recognition of its annual "America's Walk for Diabetes" and its ongoing education, prevention and research efforts. (Yeager)  
(Rules Committee referral 10/12/05)  
**Mayor Gonzales and Council Member Yeager recognized the American Diabetes Association for its outstanding achievements in the community.**

## 1. CEREMONIAL ITEMS

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- 1.3 Presentation of a commendation to Binh Le for his outstanding work as Chief Editor and Reporter for Nang The Ky Magazine. (Cortese)  
(Rules Committee referral 10/19/05)  
**Mayor Gonzales and Council Member Cortese presented a commendation to Mr. Binh Le in recognition of his achievements.**
- 1.4 Presentation of a commendation to Du Phong for his outstanding work as a Reporter for Sai-Gon USA Newspaper. (Cortese)  
(Rules Committee referral 10/19/05)  
**Mayor Gonzales and Council Member Cortese presented a commendation to Mr. Du Phong in recognition of his achievements.**
- 1.5 Presentation of a commendation to Duy Van for his outstanding work as Chief Editor and Reporter for Doi Moi Magazine. (Cortese)  
(Rules Committee referral 10/19/05)  
**Mayor Gonzales and Council Member Cortese presented a commendation to Mr. Duy Van in recognition of his achievements.**
- 1.6 Presentation of a commendation to the Bay Area Women’s Sports Initiative in recognition of the organization’s sponsorship of the “GoGirlGo!” Program, which motivates young women to combat obesity and lead healthier lifestyles. (Yeager)  
(Rules Committee referral 10/19/05)  
**Mayor Gonzales and Council Member Yeager recognized and commended the Bay Area Women’s Sports Initiative for sponsoring the “GoGirlGo!” Program.**
- 1.7 Presentation of a commendation to Siemens for its contributions to the San José economy. (Mayor/Chavez)  
(Rules Committee referral 10/19/05)  
**Mayor Gonzales and Vice Mayor Chavez recognized Siemens for contributions to the economy of the City of San José.**

## 2. CONSENT CALENDAR

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- 2.1 **Approval of Minutes.**  
**There were none.**
- 2.2 **Final adoption of ordinances.**  
**There were none.**

## 2. CONSENT CALENDAR

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### 2.3 **Acceptance of the Office of the City Auditor's *Report of Activities and Findings for the Period August 16 through September 15, 2005.***

**Recommendation:** Acceptance of the Office of the City Auditor's *Report of Activities and Findings for the Period August 16 through September 15, 2005.* (City Auditor)  
(Rules Committee referral 10/12/05)

**Report Accepted.**

### 2.4 **Approval of actions related to special events fee reductions for events held at City Hall.**

**Recommendation:** Adoption of a resolution approving the proposed process allowing the City Manager to reduce the building rental fees for City events held at the Rotunda, City Plaza and Bamboo Courtyard in the amount of \$50,000 for FY 05-06 and revising Council Policy 7-2 and Fee Resolution 72749 to modify the provisions for fees paid for Official City Business. (City Manager's Office)

**Resolution Nos. 72940 and 72940.1 adopted.**

### 2.5 **Approval to amend an agreement for Airport terminal support services.**

**Recommendation:** Adoption of a resolution authorizing the Director of Finance to execute an amendment of the agreement with Command Security Corporation, dba Aviation Safeguards, for Airport terminal support services, increasing compensation by \$210,000, from \$763,500 to a not to exceed amount of \$973,500, and extending the term of the agreement from November 1, 2005 to April 30, 2006. CEQA: Resolution Nos. 67380 and 71451, PP 05-181. (Finance)

**Resolution No. 72941 adopted.**

### 2.6 **Approval to accept digital recording equipment for the Police Department.**

**Recommendation:** Adoption of a resolution accepting 1,400 digital recorders from the Santa Clara County's Fiscal Year 2004 State Homeland Security Grant Program at a total value of \$180,344.50. CEQA: Not a Project. (Police)

**Resolution No. 72942 adopted.**

### 2.7 **Approval of an appointment to serve as the City of San José's alternate representative.**

**Recommendation:** Approval of the appointment of John Stufflebean, Acting Director of Environmental Services, to serve as the City of San José's alternative representative on the Santa Clara County Water Commission. (Mayor)  
(Rules Committee referral 10/19/05)

**Approved.**

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.1 Report of the Study Session Mayor Gonzales, Chair

#### 3.2 Report of the Rules Committee – October 5, 2005 Vice Mayor Chavez, Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review October 18, 2005 City Council Agenda  
**The Committee recommended approval of the October 18, 2005 City Council Agenda with eight additions.**
  - (2) Add New Items to October 11, 2005 Agenda  
**The October 11, meeting was canceled.**
  - (3) List of Reports Outstanding  
**No reports outstanding.**
- (c) Legislative Update
  - (1) State  
**There was no report.**
  - (2) Federal  
**There was no report.**
- (d) Meeting Schedules  
**There were none.**
- (e) The Public Record  
**The Committee noted and filed the Public Record.**
- (f) Appointments to Boards, Commissions and Committees  
**There were none.**
- (g) Rules Committee Reviews, Recommendations and Approvals
  - (1) Revision of Definition of Surviving Child Follow-Up  
**The Committee recommended that this item be placed on the October 25, 2005 City Council Agenda.**
  - (2) Workload Assessment to Improve Cellular Communications at the New City Hall  
**The Committee recommended that the workload assessment return to the Rules Committee to review in 60 days.**

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – October 5, 2005 (Cont'd.)

##### Vice Mayor Chavez, Chair

- (g) Rules Committee Reviews, Recommendations and Approvals (Cont'd.)
  - (3) Recommendation to Staff to Propose Increases in Fines and Mitigation Levels for Illegal Tree Removals  
**The Committee recommended that this item return to the Rules Committee as a workload assessment for review. No return date specified.**
  - (4) Approval Request to transfer \$565.85 from the District 8 Special Events Fund to Eastside Heros (Nonprofit ID# 76-0774783) for support of the Annual Day in the Park Event, scheduled for October 1, 2005 at Lake Cunningham Regional Park  
**The Committee recommended authorization of the transfer of \$565.85 from the District 8 Special Events Fund to Eastside Heroes (Nonprofit ID#76-0774783) for support of the Annual Day in the Park Event, scheduled October 1, 2005 at Lake Cunningham Regional Park.**
- (h) Oral Communications  
**Ross Signorino urged the City Council to get the Norcal investigation done right and out of the way.**
- (i) Adjournment  
**The meeting was adjourned at 2:25 p.m.**

#### Report of the Rules Committee – October 12, 2005

##### Vice Mayor Chavez, Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review October 25, 2005 City Council Agenda
    - (a) Evaluation of the San José Emergency Operations Plan  
**The Committee recommended approval of the October 25, 2005 City Council Agenda with three additions.**
  - (2) Add New Items to October 18, 2005 Agenda  
**The Committee recommended approval of the October 18, 2005 City Council Agenda with four additions.**
  - (3) List of Reports Outstanding  
**The Committee noted and filed the City Manager's Report.**

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – October 12, 2005 (Cont'd.)

**Vice Mayor Chavez, Chair**

(c) Legislative Update

(1) State

(a) Approve City Positions on November 2005 Special Statewide Election Propositions

**Legislative Research Specialist Roxanne Miller presented the recommended City positions on the ballot for the November 2005 Special Statewide Election. The Committee approved the City positions as recommended for the ballot propositions. See Item 3.11 for Council Action taken.**

(2) Federal

**There was no report.**

(d) Meeting Schedules

**There were none.**

(e) The Public Record

**The Committee noted and filed the Public Record.**

(f) Appointments to Boards, Commissions and Committees

**There were none.**

(g) Rules Committee Reviews, Recommendations and Approvals

(1) Approval of travel by Council Member LeZotte to San Francisco, California, October 6-7, 2005 to attend the League of California Cities Annual Conference

**The Committee recommended approval to travel and use of the Mayor and City Council Travel Fund.**

(h) Oral Communications

**Bill Chew suggested that information describing the purpose, format and air times of the Rules Committee be placed on the Civic Center Television Channel. He requested that the Committee Meetings be replayed a second time in addition to the live broadcast. Vice Chair Campos referred these suggestions to Staff.**

(i) Adjournment

**The meeting was adjourned at 2:36 p.m.**

**The Rules Committee Reports and the Actions of October 5, and October 12, 2005, were accepted.**



### 3. STRATEGIC SUPPORT SERVICES

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- 3.3 Report of the Making Government Work Better Committee  
Council Member Reed, Chair  
No Report.**

- 3.4 Consideration of waiver of the Attorney/Client privilege and release of all documents pertaining to the Norcal contract.**

**Recommendation:** Consideration of waiver of the Attorney/Client privilege and release of all documents withheld from the public in response to the Grand Jury report on the Norcal contract.

[Rules Committee referral 10/5/05 - Item 3.2 B(1)(a)]

**Privilege not waived. Directions given as follows:**

- (1) If the substance of any of the confidential information in the privileged documents is used by the investigator in his report, the City Council will waive the privilege and release those documents.**
- (2) At the time the report is released, the Council may consider the release of any privileged documents that were not referenced in the report, prior to any final action by the Council.**

**Noes: Cortese, LeZotte, Reed, Yeager.**

- 3.5 Council discussion on the definition of Surviving Child for qualification of survival benefits in Police and Fire Retirement Plan.**

**Recommendation:** Council discussion on the definition of Surviving Child for qualification of survival benefits in the Police and Fire Retirement Plan. CEQA: Not a Project.

[Rules Committee referral 10/5/05 – Item 3.2G(1)]

**Deferred to 11/1/05.**

- 3.6 Approval to implement a one-year Pilot Program to streamline the Public Works contracting process.**

**Recommendation:** Adoption of a resolution implementing a one-year pilot program to delegate authority to the Director of Public Works to do each of the following:

- (a) Award a construction contract where the base contract amount does not exceed \$1,000,000, including the authority to reject and award alternates within limits of the approved budget, and subject to the limitations more specifically set forth in the Council memorandum regarding bid protests, appropriations, budget approvals, and public bidding and noticing requirements;**
- (b) Reject all bids on any project where the Engineer's Estimate for the base work is \$1,000,000 or less;**

*Item continued on the next page*

### **3. STRATEGIC SUPPORT SERVICES**

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#### **3.6 Approval to implement a one-year Pilot Program to streamline the Public Works contracting process (Cont'd.)**

- (c) For construction contracts awarded by the Director, take appropriate actions to incorporate appropriate environmental mitigation measures for the project; and,
- (d) For construction contracts awarded by the Director, establish a contingency in accordance with the contingency policy previously adopted by the City Council.

CEQA: Not a Project. (Public Works)

[Making Government Work Better Committee referral 9/15/05 - Item 3.3 (f)]

**Resolution No. 72943 adopted, with Staff directed to:**

- (1) **Obtain input from stakeholders (small business community, Small Business Development Commission, bidders and contractors).**
- (2) **Check in quarterly with the stakeholders.**
- (3) **Create a method of checking in that allows Staff to actually respond in real time to people as they call in or inquire.**
- (4) **Ensure that the process stays as open and transparent as possible.**

#### **3.7 Approval of actions related to the Expanded Wireless Internet System.**

**Recommendation:**

- (a) Approval of the Wireless Internet System (WiFi) strategy framework as adopted by the Information Technology Planning Board at its September 15, 2005 meeting.
- (b) Authorization for the City Manager to proceed with a Request for Proposal (RFP) for an Expanded Wireless Internet System (WiFi) for the core areas of Downtown San José.

CEQA: Not a Project. (Information Technology)

**Approved, with Staff directed:**

- (1) **To ensure that any future documents that come before Council reflect the savings and adjustments that were made.**
- (2) **Continue to obtain input from the Downtown Association and the Downtown Parking Board.**

#### **3.8 Number not used.**

#### **3.9 Opposition to the Mortgage Interest Deduction Cap Proposal.**

**Recommendation:** Adoption of a resolution opposing a recommendation to cap the mortgage interest deduction. (Yeager)

(Rules Committee referral 10/19/05)

**Resolution No. 72944 adopted.**

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.10 Support of the Santa Clara County Parks Charter Fund Measure.

**Recommendation:** Adoption of a resolution in support of placing the Santa Clara County Parks Charter Fund Measure on the ballot for June 2006. (Reed)  
(Rules Committee referral 10/19/05)

**Resolution No. 72945 adopted.**

#### 3.11 Approval of City positions on November 2005 Special Statewide Election Propositions.

**Recommendation:** Approval of the recommended City positions for each of the statewide ballot propositions set for the November 2005 Statewide Special election called by the Governor on June 13 as follows:

- (a) **Proposition 73/Oppose** - Waiting period and Parental Notification Before Termination of Minor's Pregnancy.

**Approved. Noes: Reed.**

- (b) **Proposition 74/Oppose** - Public School Teachers. Waiting Period for Permanent Status. Dismissal.

**Approved.**

- (c) **Proposition 75/Oppose** - Public Employee Union Dues. Restrictions on Political Contributions. Employee Consent Requirement.

**Approved.**

- (d) **Proposition 76/Oppose** - State Spending and School Funding Limits.

**Approved. Noes: Reed.**

- (e) **Proposition 77/Oppose** - Redistricting Initiative Constitutional Amendment.

**Approved. Noes: Reed.**

- (f) **Proposition 78/Oppose** - Discounts on Prescription Drugs.

**Approved.**

- (g) **Proposition 79/Support** - Prescription Drugs Discounts. State-Negotiated Rebates.

**Approved.**

- (h) **Proposition 80/Oppose** - Electric Service Providers. Regulation.

(City Manager's Office)

[Rules Committee referral 10/12/05 – Item 3.2(c)(1)(a)]

**Approved. Noes: Campos.**

## **4. COMMUNITY & ECONOMIC DEVELOPMENT**

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### **4.1 Report of the Building Strong Neighborhoods Committee**

**Council Member Chirco, Chair**

**No Report.**

### **4.2 Report of the Driving a Strong Economy Committee**

**Council Member Williams, Chair**

**No Report.**

### **4.3 Approval to amend the Community Events Policy for the HP Pavilion.**

**Recommendation:** Approval of amendments to the City and Community Events Policy as recommended by the San José Arena Authority updating the policy and removing specific funding percentages based upon organizational type regarding use of HP Pavilion at San José. CEQA: Resolution No. 60199. (Economic Development)

**Approved.**

## **5. NEIGHBORHOOD SERVICES**

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### **5.1 Report of the All Children Achieve Committee – October 13, 2005**

**Council Member Yeager, Chair**

(a) Discuss City's Role in Advocating for Small Learning Community Schools  
**Deferred to November 2005.**

(b) Annual Report on Library Usage  
**The Committee accepted the Staff Report.**

(c) Discuss City's Role in First 5 Preschool for All Initiative

(d) Discuss Current Early care and Education Strategies and Future Funding  
**The Committee accepted the Staff Report.**

(e) Oral Petitions  
**None were presented.**

(f) Adjournment  
**The meeting was adjourned at 2:52 p.m.**

**The All Children Achieve Committee Report and the Actions of October 13, 2005, were accepted.**

## 5. NEIGHBORHOOD SERVICES

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### 5.2 Approval of the schedule and process for the 2006-2007 Community Development Block Grant application cycle.

**Recommendation:** Approval of the schedule and process for the 2006-2007 CDBG placement application cycle. CEQA: Not a Project. (Parks, Recreation and Neighborhood Services)

**Approved.**

### 5.3 Approval to extend funding terms for various CDBG projects.

**Recommendation:** Approval of continuations and extensions of funding terms for various CDBG projects as follows:

- (a) MACSA Enrichment and Development Center - The Mexican American Community Services Agency, Inc., for eighteen months, from December 31, 2005 to June 30, 2007.
- (b) Therapeutic Recreation and Wellness Facility Pre-Development Study - Parks, Recreation and Neighborhood Services Department, for one year, from June 30, 2005 to June 30, 2006.
- (c) Yu-Ai Kai Rehabilitation - Yu-Ai Kai/Japanese American Community Senior Services, for one year, from December 31, 2005 to December 31, 2006.
- (d) 11<sup>th</sup> and William Street Park Acquisition - Parks, Recreation and Neighborhood Services Department, for one year, from December 31, 2005 to December 31, 2006.
- (e) University SNI Area - Antique Style Lighting/Pedestrian - San Jose Redevelopment Agency, for one year, from December 31, 2005 to December 31, 2006.
- (f) One-Way Couplet Conversion/Historic Lighting Project - 13<sup>th</sup> Street Strong Neighborhood - San Jose Redevelopment Agency, for one year, from December 31, 2005 to December 31, 2006.
- (g) Capitol Park Community Center (also known as Goss Community Facility) - Parks, Recreation and Neighborhood Services Department, for six months, from December 31, 2005 to June 30, 2006.
- (h) Cultivating Community Power - Resources for Families and Communities (RFC), for eighteen months, from December 31, 2004 to June 30, 2006, contingent on expenditure eligibility issues being resolved.
- (i) O'Connor Park Restroom Building - Parks, Recreation and Neighborhood Services Department, for eighteen months, from December 31, 2004 to June 30, 2006.

CEQA: See memo for CEQA designations. Council Districts 1, 3, 5, 6, and 7. SNI: 13th Street, Burbank, University, K.O.N.A., Mayfair. (Parks, Recreation and Neighborhood Services)

**Approved.**

## 5. NEIGHBORHOOD SERVICES

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### 5.4 Approval of a consultant agreement for the Willow Glen Branch Library Project.

**Recommendation:** Approval of an agreement with Krong Design, Inc. for consultant services related to the planning, design and construction of the Willow Glen Branch Library Project, from the date of execution to September 30, 2008, in an amount not to exceed \$775,000. CEQA: Not a Project. Council District 6. (Public Works/Library)

**Approved.**

## 6. TRANSPORTATION & AVIATION SERVICES

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### 6.1 Report of the Building Better Transportation Committee – October 3, 2005 Council Member Campos, Chair

- (a) Expansion and Improvement of Transit and Transportation Systems
  - (1) Report and follow-up discussion on the Coleman 880 Interchange Landscape  
**The Committee accepted the Staff report.**
- (b) Traffic Relief/Safe Streets
  - (1) Presentation and discussion of Transportation Incident Management Center Proposed Relocation  
**The Committee accepted the Staff report.**
- (c) Support Smart Growth  
**No items.**
- (d) Regional Relationships/Funding/Policy
  - (1) Status Report of the Capitol Expressway Relinquishment Agreement  
**The Committee accepted the Staff report, with the understanding that the Committee is temporarily abandoning efforts to accomplish relinquishment until further notice.**

## **6. TRANSPORTATION & AVIATION SERVICES**

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### **6.1 Report of the Building Better Transportation Committee – October 3, 2005 Council Council Member Campos, Chair (Cont'd.)**

#### **(e) Oral Petitions**

**Glen Wetzel, Chair of the Matsumota Elementary PTA Committee spoke on the status of red curbing or no stopping area next to the school crosswalk, since the PTA Traffic Committee has been observing unsafe characteristics of stopping there. Chair Campos asked Director of Transportation James Helmer to have Staff put in writing the formal action that took place at the Council and what was explained here today so that the constituents can report this out to their governing body (PTA) and get the letter to Mr. Wetzel. Vice Chair Cortese added that he thought Mr. Wetzel's question was asking if the Committee made a definitive decision here, to refer to not refer the PTA proposal forward to the City Council for review. Vice Chair Cortese stated that he thought the Committee made a definitive decision not to do that, but instead to refer to the City Council what was described by Director Helmer. Director Helmer added that it was also decided that any change made at the crosswalk was to be coordinated with the Council Offices.**

#### **(f) Adjournment**

**(Referred from 10/18/05 – Item 6.1)**

**The meeting was adjourned at 2:55 p.m.**

**The Building Better Transportation Committee and the Actions of October 3, 2005, were accepted.**

## **7. ENVIRONMENTAL & UTILITY SERVICES**

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## **8. PUBLIC SAFETY SERVICES**

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### **8.1 Approval of the following actions related to San José's Local Hurricane Katrina Response Effort.**

**Recommendation:**

- (a) Approval of a report on San José's Local Katrina Response Effort. (City Manager)
- (b) Approval of actions related to the adoption of the City of Hattiesburg, Mississippi, through the United States Conference of Mayors Hurricane Relief Program. (Mayor)

(Rules Committee referral 10/19/05)

**Approved, with the following actions:**

- (1) **Direct the Mayor to continue discussions with Hattiesburg Mayor Johnny Dupree to identify ways for the San José community to assist with hurricane relief, recovery and rebuilding efforts in Hattiesburg.**
- (2) **Direct the City Manager to designate a Deputy City Manager to lead this effort in coordination with the Mayor's Office and return to the City Council with periodic updates about this relationship, as well as about other hurricane relief and support actions previously approved by Council.**

## **9. JOINT COUNCIL/REDEVELOPMENT AGENCY**

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**The Redevelopment Agency Board convened at 4:22 p.m. to consider Item 9.1 in a Joint Session.**

### **9.1 Acceptance of the quarterly CIP and SNI status reports.**

**Recommendation:** Acceptance of the quarterly report on the Citywide Capital Improvement Program (CIP), including Parks, Library, and Public Safety Bond Projects, and Strong Neighborhoods Initiative (SNI) Projects. CEQA: Not a Project. (City Manager's Office/Redevelopment Agency)

**Report Accepted.**

**The Redevelopment Agency Board portion of the meeting was adjourned at 4:42 p.m.**

- **Closed Session Report**  
**No Report.**



- **Notice of City Engineer's Pending Decision on Final Maps**

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9709	Southeast corner of The Alameda and Bush Street	6	Plant 51 LLC	265 Units	Mult i Fami ly	Approve
9734	Northwest corner of McAbee Road and Skyfarm Drive	10	SummerHill	25 Units	SFD R Hom es	Approve
9665	Northeast corner of 1 <sup>st</sup> and Bassett Streets	3	North Keystone LLC	42 Units	SFA	Approve
9737	West side of Dent Avenue, 320' south of Branham Lane	9	Rockwell Homes Inc.	12 Units	SFA	Approve
9726	N/S of Campbell Avenue, west of Newhall	3	Pulte Homes	30 Lots/ 220 Units	SFA	Approve
9733	E/S of Marburg Place, North of 101	7	Taylor Woodrow	15 Lots/ 57 Units	SFA	Approve
9731	N/S of Umbarger Road, 1200' West of Senter Road	7	Braddock & Logan III	30 Units	SFD	Approve

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
9730	1795 Mt. Pleasant Road	5	Calandev LLC	6 lots/6 units	Single Family Detached

- **Open Forum**

- (1) **Stephen Hazel voiced personal religious and political views.**
- (2) **Mark Trout criticized the NAACP.**
- (3) **Hugh Cloutier, San José Horseshoe Club, thanked Council for approving a site for horse shoe courts, but mentioned there was a delay in processing the contract necessary to enable the Club to construct the courts.**
- (4) **Carol Slane proposed that “No Loitering” signs be placed at VTA locations to discourage the gathering of the homeless.**
- (5) **Ross Signorino suggested that the Council adjourn the next meeting in memory of recently deceased, Rosa Parks.**

- **Adjournment**

**The Council of the City of San José adjourned at 4:52 p.m. in memory of Dave Hennessey, President of the California Mobile Home Resource and Action Association; in memory of Dr. TJ Owens, a longtime leader and educator; in memory of Walter Brand, a leader of the Market/Almaden NAC and in preserving and celebrating German Heritage; in memory of Forest Crumpley, a longtime member and advocate in the Bay Area’s labor movement; and in memory of Pat Ehresman, a co-founder of St. Martha’s Guild in Utah serving children in low-income families.**